

Article - Business Regulation

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§9A-505.

(a) (1) In this section, “officer” includes a superintendent, manager, or agent of a corporation regardless of whether the corporation provides heating, ventilation, air-conditioning, or refrigeration services.

(2) Any person, including an officer, who violates § 9A-501, § 9A-502, § 9A-503, or § 9A-504 of this subtitle is guilty of a misdemeanor, and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 6 months or both and, on a second or subsequent conviction, subject to a fine not exceeding \$5,000 or imprisonment not exceeding 2 years or both.

(b) Any person who violates any provision of § 9A-402 of this title is guilty of a misdemeanor, and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding 6 months or both.

(c) (1) Except as otherwise provided by this title, the Board may impose on a person who violates any provision of this title a penalty not exceeding \$5,000 for each violation.

(2) In setting the amount of the penalty, the Board shall consider:

- (i) the seriousness of the violation;
- (ii) the harm caused by the violation;
- (iii) the good faith of the violator;
- (iv) any history of previous violations by the violator; and
- (v) any other relevant factors.

(3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.

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